

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ANDREW PRATT,

Plaintiff,

vs

9:08-CV-1180

MICHAEL F. HOGAN, Commissioner, NYS  
Office of Mental Health; TERRI MAXYMILLIAN,  
Director, SOTP, CNYPC; VALERIE COLASANTE,  
Psychologist Asst. 3; REGINA ANDERSON, R.N.,  
Treatment Team Leader, CNYPC; and DONALD  
SAWYER, Executive Director, CNYPC,

Defendants.

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APPEARANCES:

ANDREW PRATT  
18859-604  
cnypc  
po Box 300  
9005 Old River Road  
Marcy, NY 13403

HON. ANDREW M. CUOMO  
Attorney General of the  
State of New York  
Attorney for Defendants  
Department of Law  
The Capitol  
Albany, New York 12224

MICHAEL G. McCARTIN, ESQ.  
Asst. Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Andrew Pratt, commenced this civil rights action in November 2008, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated March 22, 2010, the Honorable David E. Peebles, United States Magistrate Judge, recommended that

defendants' motion to dismiss (Dkt. No. 11) be granted and that plaintiff's complaint be dismissed in all respects. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the file, and the recommendations of Magistrate Judge Peebles, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

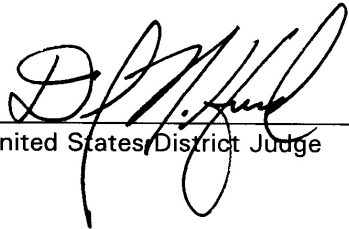
Accordingly, it is

ORDERED that

1. Defendants' motion to dismiss is GRANTED;
2. The plaintiff's complaint is DISMISSED in all respects; and
3. The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: April 28, 2010  
Utica, New York.

  
United States District Judge